

*See paid #25  
E624927*

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
COLD STONE CREAMERY, INC.,  
An Arizona Corporation, and  
COLD STONE CREAMERY LEASING  
COMPANY, INC.,  
An Arizona Corporation,  
  
Plaintiffs,

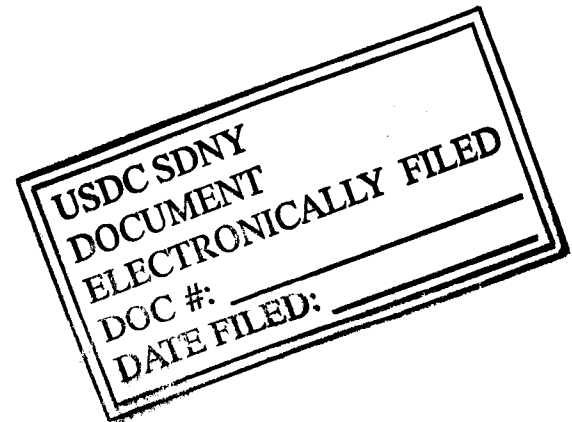
v.

BLUE ICE CREAMERY, INC,  
A New York Corporation,  
STARRY NIGHTS, INC,  
A New York Corporation,  
THE STONE AT LYNBROOK, INC,  
A New York Corporation,  
SPARKY'S DELIGHTS, INC,  
A New York Corporation,  
THE STONE AT MELVILLE, INC,  
A New York Corporation,  
MARC MANDELBAUM,  
A Resident of the State of New York,  
ROY MANDELBAUM,  
A Resident of the State of New York,  
ERIC LEVINE,  
A Resident of the State of New York,  
KAREN LEVINE,  
A Resident of the State of New York, and  
AMY GREENBERG,  
A Resident of the State of New York,  
  
Defendants.  
-----X

**NOTICE OF MOTION TO  
ADMIT COUNSEL  
PRO HAC VICE**

FILED  
U.S. DISTRICT COURT  
2007 NOV 13 PM 5:26  
S.D. OF N.Y.

C.A. No. 07-CV-6705 (WCC)

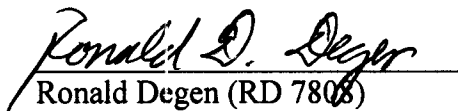


PLEASE TAKE NOTICE that upon the annexed affidavit of Stephen J. Vaughan in support of this motion and the Certificate of Good Standing annexed thereto we will move this Court before the Honorable William C. Conner at the United States Courthouse for the Southern District of New York, pursuant to Rule 1.3 (c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York for an

Order allowing the admission of Stephen J. Vaughan, a principal with the firm of Gray, Plant, Mooty, Mooty & Bennett, P.A., and a member in good standing of the Bar of the District of Columbia, as attorney pro hac vice to argue or try this case in whole or in part as counsel.

Respectfully submitted,

Dated: November 9, 2007

  
Ronald Degen (RD 7808)  
Scott Goldfinger (SG 9219)  
O'ROURKE & DEGEN, PLLC  
225 Broadway, Suite 715  
New York, NY 10007  
Telephone: (212) 227-4530  
Facsimile: (212) 385-9813

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT FOR THE  
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A Resident of the State of New York,  
  
Defendants.

**CERTIFICATION OF  
STEPHEN J. VAUGHAN IN  
SUPPORT OF MOTION TO  
ADMIT COUNSEL PRO HAC  
VICE**

C.A. No. 07-CV-6705 (WCC)

-----X  
STEPHEN J. VAUGHAN, hereby certifies the following:

1. I submit this certification in support of my motion for admission to practice pro hac vice in the above-captioned matter. I am a resident of the Commonwealth of Virginia, and a principal with the law firm of Gray, Plant, Mooty, Mooty & Bennett, P.A., 2600 Virginia Avenue, N.W., Suite 1111, Washington, D.C. 20037.

2. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the District of Columbia.

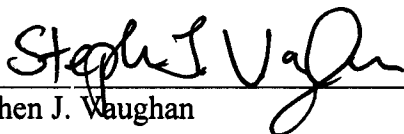
3. I have never been held in contempt of court.

4. There are no pending disciplinary proceedings against me in any State or Federal Court.

5. I have read and I am familiar with the provisions of the Judicial Code (Title 28, U.S.C.), the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the Local Rules of the United States District Court for the Southern and Eastern Districts of New York, and the New York Lawyer's Code of Professional Responsibility.

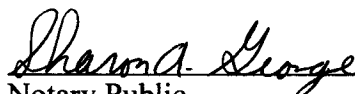
6. I will faithfully adhere to all rules applicable to my conduct in connection with any activities in this Court.

WHEREFORE, it is respectfully requested that this Court allow petitioner to appear as counsel and advocate pro hac vice in this one case.

  
Stephen J. Vaughan

Dated: November 8<sup>th</sup>, 2007

Subscribed and sworn to before me  
this 8<sup>th</sup> day of November, 2007.

  
Notary Public  
My Commission Expires:

**SHARON A. GEORGE  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
MY COMMISSION EXPIRES FEBRUARY 28, 2012**



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

STEPHEN J. VAUGHAN

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was on the 2<sup>nd</sup> day of August, 1999  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on  
November 8, 2007.

GARLAND PINKSTON, JR., CLERK

By: *Rudy C. [Signature]*  
Deputy Clerk

**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury that on November 9, 2007 I served Plaintiffs' Motion for Admission *Pro Hac Vice* for Stephen J. Vaughan, supporting papers and proposed Order by first class mail in a postpaid wrapper addressed to each of the following:

Adam B. Kaufman, Esq.  
Adam B. Kaufman & Associates, PLLC  
585 Stewart Avenue, Suite 302  
Garden City, New York 11530

Roy Mandelbaum, Esq.  
128 Front Street  
Mineola, New York 11501

Dated: November 9, 2007

  
RONALD D. DEGEN

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK

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AMY GREENBERG,  
A Resident of the State of New York,

Defendants.  
-----X

**ORDER FOR ADMISSION  
TO PRACTICE PRO HAC  
VICE**

C.A. No. 07-CV-6705 (WCC)

The motion for admission to practice pro hac vice in the above captioned matter is granted.

**IT IS HEREBY ORDERED** that:

Stephen J. Vaughan  
Gray, Plant, Mooty, Mooty & Bennett, P.A.  
2600 Virginia Avenue, NW  
Washington, DC 20037  
stephen.vaughan@gpmlaw.com

is admitted to practice pro hac vice and permitted to argue or try this particular case in whole or in part as counsel on behalf of Plaintiffs.

An attorney admitted to practice pro hac vice is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee within 10 business days.

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission pro hac vice for the above listed case will be made on the roll of attorneys.

The attorney admitted pro hac vice must serve a copy of this Order on all other counsel in this case.

Dated: November \_\_\_, 2007

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United States District Judge

cc: Stephen J. Vaughan  
Counsel of Record  
Court File